

**Engineer of Record RFQ Committee
Meeting Minutes**

Monday, April 2, 2012
Manistee County Blacker Airport
Conference Room

**Committee
Members**

Present: Chairman Duane Anderson,
Robert Wilson (arrived 1:20PM) and Ross Spencer

Members Absent: None

Others Present: Barry Lind, Airport Director, Attorney George Saylor

The meeting was called to order by Chairman Anderson at 1:10 PM.

The Committee reviewed a document, acquired by Director Lind, and implemented by the Hancock, Houghton County Memorial Airport, in their selection process for interviewing engineering firms. The form listed 15 questions to be posed to the firms with a numerical scoring system rating the firm from 1 to 5 for each of the questions. It was decided that Director Lind and committee member Ross Spencer would meet to tailor a set of questions to be used for the Manistee Blacker engineer selection process.

A suggestion was made that the Committee be allowed to narrow the field down to only one firm to recommend to the Authority for selection. There were concerns expressed that the actual selection should not be a committee function but a decision that should be made by the Authority Board.

The consensus was that the Committee be granted the authority to interview the engineering firms being considered, depending on the number of firms wishing to be considered, and then provide the Authority with three engineering firms to be interviewed by the Authority Board for the final selection. Attorney Saylor recommended that at the next Authority meeting, the Authority should ask for a resolution empowering the Committee to follow the proposed selection process.

The Request for Qualifications for engineering firms was posted via the State of Michigan's website by Director Lind on March 14, 2012. The deadline for proposals is April 14, 2012 and they are to be sent to the Authority via Director Lind.

The next meeting for the Engineer of Record Committee is scheduled for 1:00 PM on Monday April 16, 2012, in the conference room at Manistee Blacker Airport.

Legal Representation:

It has been pointed out by Director Lind that there likely are some issues concerning the requirement imposed on the airport by Federal grants that have been awarded to the Manistee Blacker Airport. There is, therefore the likelihood for potential legal issues involving both the Manistee Blacker Airport and the City of Manistee that could result in conflicting interests.

Attorney Saylor has advised the Authority that since he and his firm also represent the City of Manistee, should there be a legal issue between the City of Manistee and Manistee Blacker Airport, it would be a conflict of interest and both parties would have to arrange for other legal representation.

Director Lind expressed his concern for being able to recognize the point at which our present legal representation should end and other legal representation be sought. Attorney Saylor indicated that he felt he would be able to provide this guidance.

Committee members also question whether legal representation was needed at each Authority Board meeting. Perhaps legal opinions or guidance could be sought on an as needed basis.

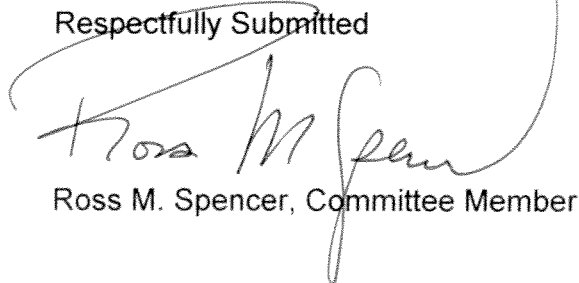
Another question was whether the Authority should seek legal representation from an individual or firm more specialized in the airport or aviation legal arena. This discussion lead to whether or not one legal firm could be utilized for most needs and a second legal firm retained for aviation specific issues.

The question was raised on whether or not the Authority had an obligation to use the same process, such as being implemented in selecting an engineering firm, in the selection of legal representation for the airport. It was suggested that this approach would be a good business practice and promote greater transparency in the operation of the Authority.

It is the committee's recommendation that the question of legal representation for the Manistee Blacker Airport Authority become an agenda item for a future Airport Authority meeting.

The meeting was adjourned at 1:55 PM.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Ross M. Spencer", is written over a large, faint circular line. Below the signature, the text "Ross M. Spencer, Committee Member" is printed.

Ross M. Spencer, Committee Member